

REMARKS

Status of Claims:

Claims 1-33, 38, 45, and 52 remain cancelled. Independent claim 34 is currently amended with features from previously pending dependent claim 35, and claim 35 is cancelled without prejudice or disclaimer. Independent claim 41 is currently amended with features from previously pending dependent claim 42, and claim 42 is cancelled without prejudice or disclaimer. Independent claim 48 is currently amended with features from previously pending dependent claim 49, and claim 49 is cancelled without prejudice or disclaimer. Claims 36, 43, and 50 are also currently amended. New claims 55 and 56 are added.

Thus, claims 34, 36, 37, 39-41, 43, 44, 46-48, 50, 51, and 53-56 are pending in the application. A detailed listing of all claims that are in the application, is presented, with appropriately defined status identifiers.

Claim Rejections Under 35 U.S.C. 103:

Claims 34-38, 39-44, 46-51, and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424).

Claim 38 was previously cancelled. Independent claim 34 is currently amended with features from previously pending dependent claim 35, and claim 35 has been cancelled without prejudice or disclaimer. Independent claim 41 is currently amended with features from previously pending dependent claim 42, and claim 42 has been cancelled without prejudice or disclaimer. Independent claim 48 is currently amended with features from previously pending dependent claim 49, and claim 49 has been cancelled without prejudice or disclaimer.

With respect to claims 34, 36, 37, 39-41, 43, 44, 46-48, 50, 51, 53, and 54, as amended, the rejection is respectfully traversed.

In Nakamura, the registration request issuing means delivers or broadcasts advertisement information to available telephones under monthly contracts, as is clear from the step 1301. Thus, Nakamura in which the timings to begin and end the advertisement information broadcast is fixed by contract involves a possibility that a broadcast or delivery service may not be provided to a user just when the user needs the service.

On the other hand, although, as observed by the Examiner, Kenney teaches that the monitor would display informational screens from a central administration point for a period of 8-10 seconds each when the phone is not in use, Kenney does not clearly teach anything about the beginning and ending timings of information broadcast.

In contrast, according to embodiments of the present invention, the beginning and ending timings of the broadcast service are determined by a registration request from the registration request issuing means and a request from the registration cancellation means to stop broadcasting the advertisement information, respectively. In view of the fact that neither Nakamura nor Kenney teaches to determine the beginning and ending timings of the broadcast service by requests from telephones, the present invention could not have been accomplished from the two cited references, whether considered individually or in combination. According to embodiments of the present invention, the terminal user is allowed to receive the broadcast service only for a time interval desired by the user to thereby enjoy a reduction in wasteful expenditure of communication charges under contract.

Therefore, independent claims 34, 41, and 48, as amended, are believed to be allowable. The dependent claims are believed to be allowable for at least the same reasons as the independent claims from which they depend.

New Claims:

New claims 55 and 56 recite features that are neither disclosed nor suggested by the Nakamura and Kenney references.

Conclusion:

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date January 22, 2010

By JM Sobaje

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (213) 972-4596
Facsimile: (213) 486-0065

Justin M. Sobaje
Attorney for Applicant
Registration No. 56,252